



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

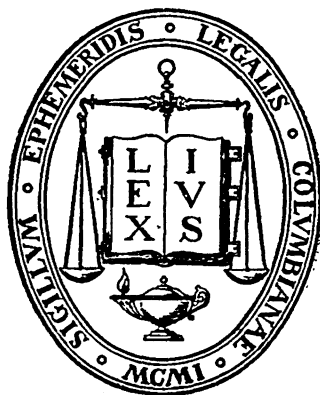
We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

COLUMBIA LAW REVIEW

Vol. XXII—1922



NEW YORK

1922

Copyright, 1922

By the Trustees of THE COLUMBIA LAW REVIEW

This acid-free reprint was electronically imaged and laser printed under the strict quality control guidelines established by William S. Hein & Co., Inc.'s "Preservation Program." This program was established to preserve the integrity of legal classics for future generations of legal researchers.

The paper meets the requirements of
ANSI/NISO Z39.48-1992 (Permanence of Paper).



William S. Hein & Co., Inc.
Buffalo, New York
2000

TITLE INDEX TO ARTICLES

	PAGE
ACCESSION OF PERSONAL PROPERTY, THE LAW OF: <i>Earl C. Arnold</i>	103
ADOPTION, THE LAW OF: <i>John Francis Brosnan</i>	332
BANKNOTE IN FRANCE, COMPULSORY CIRCULATION OF THE: <i>René Demogue</i>	430
COMMERCE CLAUSE AND STATE POLICE POWER, 1910-1914, SUPREME COURT DECISIONS ON THE: <i>Thomas Reed Powell II</i>	28
COMMERCE CLAUSE AND STATE TAXING POWER, 1910-1914, SUPREME COURT DECISIONS ON THE: <i>Thomas Reed Powell</i>	133
CONDITIONS PRECEDENT, SUPERVENING IMPOSSIBILITY OF PERFORMING: <i>Arthur L. Corbin</i>	421
DAMAGES, THE RATE OF EXCHANGE IN THE LAW OF: <i>Edward Gluck</i>	217
DOCUMENTARY LETTERS OF CREDIT: <i>Carl A. Mead</i>	297
GOOD WILL, CONFLICTING THEORIES OF: <i>C. J. Foreman</i>	638
INSURANCE POLICIES, SUPERVENING IMPOSSIBILITY OF PERFORMING CONDI- TIONS IN: <i>Edwin W. Patterson</i>	613
LAW AND THE FACTS, THE: <i>Nathan Isaacs</i>	1
LECTURE NOTES OF THE LATE PROFESSOR WILLARD BARBOUR: THE MEAN- ING OF LEGAL HISTORY: <i>Willard Barbour</i>	693
LEGAL HISTORY, THE MEANING OF: LECTURE NOTES OF THE LATE PROFES- SOR WILLARD BARBOURS <i>Willard Barbour</i>	693
LIABILITY OF TRUST ESTATES FOR THE CONTRACTS AND TORTS OF THE TRUS- TEE, A THEORY OF: <i>Harlan F. Stone</i>	527
LITERATURE OF LAW, THE: <i>John W. Salmond</i>	197
NATIONALS WITHOUT A NATION: THE NEW YORK STATE TRIBAL INDIANS: <i>Cuthbert W. Pound</i>	97
PERMANENT COURT OF INTERNATIONAL JUSTICE, THE ORGANIZATION OF: <i>John Bassett Moore</i>	497
PUBLIC AND PRIVATE RIGHTS IN THE FORESHORE: <i>George Sanford Parsons</i>	706
RATE MAKING AND THE REVISION OF THE PROPERTY CONCEPT: <i>Robert L. Hale</i>	209
REORGANIZATION—THE NEXT STEP: <i>James N. Rosenberg</i>	14
REORGANIZATION—THE NEXT STEP: A REPLY TO MR. JAMES N. ROSEN- BERG: <i>Robert T. Swaine</i>	121
SPIRITUALISM AND CRIME: <i>Blewett Lee</i>	439
SUPERVENING IMPOSSIBILITY OF PERFORMING CONDITIONS IN INSURANCE POLICIES: <i>Edwin W. Patterson</i>	613
SUPERVENING IMPOSSIBILITY OF PERFORMING CONDITIONS PRECEDENT:	
<i>Arthur L. Corbin</i>	421
TRUST RECEIPT AS SECURITY, THE: <i>Karl T. Frederick I</i>	395
II	546
VOTING TRUSTS, LIMITATIONS ON THE VALIDITY OF: <i>Marion Smith</i>	627

AUTHOR INDEX TO ARTICLES

	PAGE
ARNOLD, EARL C.: <i>The Law of Accession of Personal Property</i>	103
BARBOUR, WILLARD: <i>Lecture Notes</i>	693
BROSNAN, JOHN FRANCIS: <i>The Law of Adoption</i>	332
CORBIN, ARTHUR L.: <i>Supervening Impossibility of Performing Conditions Precedent</i>	421
DEMOGUE, RENÉ: <i>Compulsory Circulation of the Banknote in France</i>	430
FOREMAN, C. J.: <i>Conflicting Theories of Good Will</i>	638
FREDERICK, KARL T.: <i>The Trust Receipt as Security I</i>	395
II	546
GLUCK, EDWARD: <i>The Rate of Exchange in the Law of Damages</i>	217
HALE, ROBERT L.: <i>Rate Making and the Revision of the Property Concept</i>	209
ISAACS, NATHAN: <i>The Law and the Facts</i>	1
LEE, BLEWETT: <i>Spiritualism and Crime</i>	439
MEAD, CARL A.: <i>Documentary Letters of Credit</i>	297
MOORE, JOHN BASSETT: <i>The Organization of the Permanent Court of Inter- national Justice</i>	497
PARSONS, GEORGE SANFORD: <i>Public and Private Rights in the Foreshore</i>	706
PATTERSON, EDWIN W.: <i>Supervening Impossibility of Performing Condi- tions in Insurance Policies</i>	613
POUND, CUTHBERT W.: <i>Nationals without a Nation: The New York State Tribal Indians</i>	97
POWELL, THOMAS REED: <i>Supreme Court Decisions on the Commerce Clause and State Police Power, 1910-1914 II</i>	28
<i>Supreme Court Decisions on the Commerce Clause and State Taxing Power, 1910-1914</i>	133
ROSENBERG, JAMES N.: <i>Reorganization—The Next Step</i>	14
SALMOND, JOHN W.: <i>The Literature of Law</i>	197
SMITH, MARION: <i>Limitations on the Validity of Voting Trusts</i>	627
STONE, HARLAN F.: <i>A Theory of Liability of Trust Estates for the Con- tracts and Torts of the Trustee</i>	527
SWAINE, ROBERT T.: <i>Reorganization—The Next Step: A reply to Mr. James N. Rosenberg</i>	121

INDEX TO BOOK REVIEWS

	PAGE
ALDEN, CARLOS C.: <i>Handbook of Practice under the Civil Practice Act of New York</i>	489
ALDRICH, FRED D.: <i>World Peace; or Principles of International Law in their Application to Efforts for the Preservation of the Peace of the World</i>	91
BRYCE, JAMES (VISCOUNT BRYCE): <i>Modern Democracies</i>	87
CANFIELD, GEORGE L., and DALZELL, GEORGE W.: <i>The Law of the Sea</i>	490
CARDOZO, BENJAMIN N.: <i>The Nature of the Judicial Process</i>	382
COOK, WILLIAM G. H.: <i>Insanity and Mental Deficiency in Relation to Legal Responsibility. A Study in Psychological Jurisprudence</i>	494
DALZELL, GEORGE W., and CANFIELD, GEORGE L.: <i>The Law of the Sea</i>	490
DELOUTER, J.: <i>Le Droit International Public Positif</i>	93
GRAY, JOHN CHIPMAN: <i>The Nature and Sources of the Law. Second Edition</i>	387
HARLEY, JOHN EUGENE: <i>The League of Nations and the New International Law</i>	92
HEATON, WILLIS E.: <i>The Procedure and Law of Surrogates' Courts. Fourth Edition</i>	492
HICKS, FREDERICK C.: <i>Men and Books Famous in the Law</i>	195
HOUSE, VICTOR, and LAUER, EDGAR J.: <i>The Tenant and His Landlord</i> ...	603
ISAACS, NATHAN, and SCHAUB, LINCOLN FREDERICK: <i>The Law in Business Problems</i>	392
JAMES, HERMAN G.: <i>Local Government in the United States</i>	392
LANSING, ROBERT: <i>Notes on Sovereignty</i>	96
LAUER, EDGAR J., and HOUSE, VICTOR: <i>The Tenant and His Landlord</i>	603
LEWIS, CLARENCE M.: <i>Williston on Contracts, Vol. V</i>	610
MOORE, WILLIAM UNDERHILL, and SMITH, HOWARD L.: <i>Cases on the Law of Bills and Notes. Second Edition</i>	770
OPPENHEIM, L.: <i>International Law. Vol. II. War and Neutrality</i>	488
OSBORN, ALBERT S.: <i>The Problem of Proof</i>	772
PHIPSON, SIDNEY L.: <i>Manual of the Law of Evidence. Third Edition</i> ..	607
POLLOCK, SIR FREDERICK: <i>Principles of Contract. Ninth Edition</i>	686
POUND, ROSCOE: <i>An Introduction to the Philosophy of Law</i>	774
<i>The Spirit of the Common Law</i>	385
REED, ALFRED ZANTZINGER: <i>Training for the Public Profession of the Law</i>	284
REED, ROBERT R., and WASHBURN, LESTER H.: <i>Blue Sky Laws</i>	93
SAMUEL, BUNFORD: <i>Secession and Constitutional Liberty</i>	95
SCHAUB, LINCOLN FREDERICK, and ISAACS, NATHAN: <i>The Law in Business Problems</i>	392
SCHOFIELD, HENRY: <i>Essays on Constitutional Law and Equity</i>	193
SCHOULER, JAMES: <i>A Treatise on the Law of Marriage, Divorce, Separation and Domestic Relations. Sixth Edition</i>	88
SEARS, JOHN H.: <i>Trust Estates as Business Companies. Second Edition</i>	388
SMITH, HOWARD L., and MOORE, WILLIAM UNDERHILL: <i>Cases on the Law of Bills and Notes, Second Edition</i>	770
SNOW, ALPHEUS HENRY: <i>The American Philosophy of Government</i>	96
SPENCER, WILLIAM H.: <i>Law and Business</i>	689
SULLIVAN, JOSEPH D.: <i>Selected Cases on Real Property</i>	292
THURBER, RAYMOND D.: <i>A Treatise on the Federal Estate Tax</i>	94
TIFFANY, HERBERT T.: <i>The Law of Real Property</i>	292
TIFFANY, WALTER C.: <i>A Handbook on the Law of Persons and Domestic Relations. Third Edition</i>	390
VINOGRADOFF, SIR PAUL: <i>Outlines of Historical Jurisprudence</i>	90
WASHBURN, LESTER H., and REED, ROBERT R.: <i>Blue Sky Laws</i>	93
WINFIELD, PERCY HENRY: <i>The History of Conspiracy and Abuse of Legal Procedure</i>	491
ZOLINE, ELIJAH N.: <i>Federal Criminal Law and Procedure</i>	188

TABLE OF CASES

	PAGE		PAGE
Adler <i>v.</i> Zimmerman	677	Commonwealth <i>v.</i> Allen	476
Aetna Ins. Co. <i>v.</i> Indiana Na-		Commonwealth <i>v.</i> Weston	676
tional Life Ins. Co.	277	Coquelet <i>v.</i> Union Hotel Co.	678
Ahlberg <i>v.</i> United States	175	Corneli <i>v.</i> Moore	480
Albus <i>v.</i> Toomey	744	Cortlander <i>v.</i> Bradford	182
Alma Anderson, In the Matter		Cowen <i>v.</i> Pressprich	357
of	368	Crehan <i>v.</i> Megargel	577
American, etc. Lumber Co. <i>v.</i>		Crownshield Trading Corpora-	
United States	377	tion <i>v.</i> Earle	597
American Trading Co. <i>v.</i> Na-		Cunard S. S. Co. <i>et al.</i> <i>v.</i> Mel-	
tional Fibre & Insulation Co.	75	lon <i>et al.</i>	759
Anderson <i>v.</i> Anderson	674	Cyrus Currier & Sons <i>v.</i> Inter-	
Anderson <i>v.</i> Durr	274	national Molders' Union	79
Anderson, Alma, In the Matter		Daignault <i>v.</i> Wooliscroft	85
of	368	Daniel <i>v.</i> Daniel	281
Anderson, <i>In re</i>	593	David & Co. <i>v.</i> Ginsberg	186
Application of Lindgren	373	Day, Henry M. & Co., Inc. <i>v.</i>	
Arrow Holding Corp. <i>v.</i> Mc-		Schiff-Lang & Co.	83
Laughlin	185	Dealy <i>v.</i> Klapp	378
Atlas Shoe Co. <i>v.</i> Rosenthal ..	767	Dent <i>v.</i> Bellows Falls & S. R.	
Auto Acetylene Light Co. <i>v.</i>		St. Ry.	745
Prest-o-Lite Co.	477	Doherty <i>v.</i> Monroe Eckstein	
Bailey <i>v.</i> Drexel Furniture Co.	661	Brewing Co.	278
Baker <i>v.</i> Peterson	369	Drexel Furniture Co. <i>v.</i> Bailey	370
Bank of Holmes <i>v.</i> Thompson	596	Driscoll <i>v.</i> Weidely Motors Co.	375
Barnette <i>v.</i> Wells-Fargo Nev.		Drobner <i>v.</i> Peters	379
Nat. Bank	592	Dunn's Estate, <i>In re</i> ...	768
Barnett Bros. <i>v.</i> Lynn	465	Dure <i>v.</i> Sharpe	177
Barrett <i>v.</i> New England Tele-		Dwan <i>v.</i> Massarene	483
phone & Telegraph Co.	683	Eager's Guardian <i>v.</i> Pollard ..	681
Bayle <i>v.</i> Manufacturers Liability		Emerson-Brantingham Implement	
Ins. Co.	373	Co. <i>v.</i> Sawyer	757
Beardsley <i>v.</i> Kilmer	667	Engle <i>v.</i> Director General of	
Begert <i>v.</i> Payne	257	Railroads	379
Benevento <i>v.</i> Poertner Motorcar		Epstein <i>v.</i> Gluckin	682
Co.	575	Equitable Trust Co. <i>v.</i> Keene ..	378
Bernhan Chemical & Metal		Erie County <i>v.</i> Lowenstein	767
Corp. <i>v.</i> Ship-A-Hoy Ltd.,		Everhart <i>v.</i> Provident Life &	
Inc.	591	Trust Co.	602
Bernstein <i>v.</i> Orlevitch	61	<i>Ex parte</i> Kerekes	179
Bielitzki <i>v.</i> Obadisch	86	Falk <i>v.</i> MacMasters <i>et al.</i>	78
Bishop <i>v.</i> New York Times Co.	579	Federal Trade Commission <i>v.</i>	
Boyd's Estate, <i>In re</i>	187	Beech-Nut Packing Co.	351
Brown <i>v.</i> Scott	665	Federal Trade Commission <i>v.</i>	
Burdeau <i>v.</i> McDowell	77	Winstead Hosiery Co.	594
Burnett Coal Mining Co. <i>v.</i>		Ferry <i>v.</i> Spokane, Portland &	
Schrepferman	371	Seattle Ry.	674
Cappeau, <i>In re</i>	282	Fireman's Fund Insurance Co.	
Chicago, V. & St. P. Ry. <i>v.</i> Mc-		<i>v.</i> Vinton	57
Ginley	363	First National Bank of La Junta	
City of New York <i>v.</i> Brooklyn		<i>v.</i> Mock	484
City R. R.	739	Fletcher <i>v.</i> Manhattan Life Ins.	
Clarry Lumber Co. <i>v.</i> O'Brien	474	Co.	64
Commissioners of D. C. <i>v.</i>		Foster <i>v.</i> Mulcahey and Stewart	80
O'Donoghue Bros.	376		

TABLE OF CASES

VII

	PAGE		PAGE
Fox v. McCormick	381	Lipke v. Lederer	761
Frick v. Webb	751	Long <i>et al.</i> v. Wright	280
Friedlander v. Postal-Telegraph Cable Co.	77	Louisville, etc. Ry. v. Craft	162
Geyer v. Denham	79	Love v. Nashville Agricultural & Normal Institute	749
Glassmeyer v. Michelson	372	Lowney v. Butte Electric Ry. Co.	596
Goodyear Tire & Rubber Co. v. Hanover State Bk.	673	Mann v. Bulgin	479
Gouled v. Holwitz	74	Mansha v. San Benito Land Co.	358
Grant Smith-Porter Ship Co. v. Rhode	368	Marks v. Howkins	593
Griswold v. Morrison	279	Matter of Katz v. Kadans & Co.	571
Haber, <i>In re</i>	486	Matter of New York & Balti- more Inland Transportation Co., Bankrupt	582
Hale v. Hale	769	McChesney's Will, <i>In re</i>	684
Hanna v. Stedman	154	McHenry v. United States	374
Hartford Insurance Co. v. Payne	762	Messersmith v. American Fi- delity Co.	480
Heed v. Gummere	758	Model Building & Loan Ass'n v. Reeves	673
Henry v. Crooks	764	Moncrief v. Palmer	186
Henry M. Day & Co., Inc. v. Schiff-Lang & Co.	83	Moore v. Day	479
Herman Andrae Electrical Co. v. Courteen	475	Mooré & Co., Ltd. v. Landauer & Co.	184
Homeyer v. Yaverbaum	80	Myrtle Point Mill & Lumber Co. v. Clarke	477
Hunt v. Smith	474	Nanos v. Harrison	758
Hutchings v. Zumbrunn	763	Nashville Ry. & Light Co. v. Lawson	79
Hyman v. Press Publishing Co.	374	Nashville Saddlery Co. v. Green	350
<i>In re</i> Anderson	593	National City Bank of Chicago v. National Bank of the Re- public of Chicago	260
<i>In re</i> Boyd's Estate	187	National Pub. Co. v. Inter- national Paper Co.	75
<i>In re</i> Cappeau	282	Newberry v. United States	54
<i>In re</i> Dunn's Estate	768	New York & Baltimore Inland Transportation Co., Bankrupt, Matter of	582
<i>In re</i> Haber	486	New York Central R. R. v. Freedman	485
<i>In re</i> McChesney's Will	684	New York Central Ry. v. First Nat'l. Bk. of the Thousand Islands	599
<i>In re</i> Reeve's Guardianship	593	New York, City of v. Brooklyn City R. R.	739
<i>In re</i> Schwarz	73	Ohio Drilling Co. <i>et al.</i> v. State Industrial Commission <i>et al.</i>	685
<i>In re</i> Toole	155	Parrott Tractor Co. v. Brown- fiel	162
<i>In re</i> Van Deusen's Estate	769	Paul v. Pacific Development Corporation	657
International Mercantile Marine Co. v. Stewart <i>et al.</i>	759	Payne v. Bassett	567
In the Matter of Alma Ander- son	368	People v. Baldwin	181
Joachimson v. Swiss Bank Corp.	175	People v. Countryman	760
Jones v. Bank of North Hudson	82	People v. Licenziata	478
Jones & Brindisi Inc. v. Bern- stein Bros.	678	People v. Niles	478
Kannellos v. Great Northern Ry.	481	People v. Schulman	276
Katz, Matter of v. Kadans & Co.	571	People <i>ex rel.</i> Sprague v. Clark	458
Kaye v. Metz <i>et al.</i>	74	People <i>ex rel.</i> Terminal & Town Taxi Corporation v. Walsh ..	676
Keeter v. State	273		
Kelsey v. Kelsey	76		
Kerekes, <i>Ex parte</i>	179		
King v. Farmers' Grain Co. of Dawson	765		
Lachner v. Meyers	762		
Lagumis v. Gerard	82		
Lake v. Dye	455		
Langhanke, etc. v. Durant	757		
Leach v. Carlile	590		
Lindell v. Lindell	483		
Lindgren, Application of	373		

	PAGE		PAGE
Peoples Bank of Springfield v. True	176	Standard Growers' Exchange v. Howard <i>et al.</i>	183
Percy Kent Co. v. Silberstein ..	600	Stansberry v. Monitor Stove Co.	264
Perdue <i>et al.</i> v. Ward <i>et al.</i> ...	180	State v. Crothers	485
Perlmutter v. Byrne	575	State v. Gruick	178
Peryer v. Pennock	372	State <i>ex rel.</i> Pollock v. Becker	274
Pitman v. Lynn Gas & Electric Co.	680	State <i>ex rel.</i> Theile v. Cities Service Co.	590
Plews v. Burrage	482	Strakosch v. Connecticut Trust & Safe Deposit Co.	178
Plumb v. Richmond Light & R. Co.	764	Sulzberger & Sons Co. v. S. S. Hellig Olav	73
Pollock, State <i>ex rel.</i> v. Becker ..	274	Sumner Permain & Co. v. Webb & Co.	377
Powelson v. Proctor & Gamble Co.	598	Superior Steel Spring Co. v. New Era Spring & Specialty Co.	358
Puckett v. Hopkins	766		
Putnam v. Spencer Oil Co.	681		
		Terminal & Town Taxi Corporation, People <i>ex rel.</i> v. Walsh	676
Rambaut <i>et al.</i> v. White	84	Terral v. Burke Construction Co.	476
Ratcliff v. State	275	Territorial Trust and Surety Co. v. Missouri Valley Bridge & Iron Co.	81
Reeve's Guardianship, <i>In re</i> ...	593	Theile, State <i>ex rel.</i> v. Cities Service Co.	590
Reinhardt v. Newport Flying Service Corp.	272	Toole, <i>In re</i>	155
Rhodes v. New Orleans Great Northern R. R.	682	Trowbridge v. Malix Realty Co.	267
Robert Mitchell Furniture Co., The v. Selden Breck Construction Co.	369	Truax v. Corrigan	252
Rosen <i>et al.</i> v. United States ..	76	Turner v. Fidelity & Deposit Co.	281
Rosenberg Bros. & Co. v. F. S. Buffum Co.	462	Tutweiler <i>et al.</i> v. Lowery	748
Russian Socialists Federated Soviet Government v. Cibrario ..	277		
Ryon v. John Wanamaker, New York, Inc.	169	Union Trust Co. of N. J. v. New Jersey Water & Light Co.	679
Salsedo v. Palmer	601	United Mine Workers of America v. Coronado Coal Co.	684
Sandry v. Brooklyn School Dist. No. 78	275	United Ry. & Logging Supply Co. v. Siberian Commercial Co.	159
Schooley v. Fresno Traction Co.	380	United States v. Senft	177
Schlesinger v. Quinto	184	United States v. Swift <i>et al.</i> ..	344
Schneider v. Daniel	184		
Schoenholz v. N. Y. Ins. Co. ..	154	Van Deusen's Estate, <i>In re</i>	769
Schwartz v. Hoerster	85	Washington Cranberry Growers' Assn. v. Moore	760
Schwarz, <i>In re</i>	73	Watts v. Mulliken's Estate	280
Seaboard Air Line Ry. v. Banks <i>et al.</i>	766	Weberpals v. Jenny	486
Seaver v. Lindsay Light Co. ...	601	Webster v. Modern Woodmen of America	594
Sherill Hardwood Lumber Co. v. New York Bottle Box Co. ..	675	Weiner v. Infeld	272
Silberstein v. Begun	371	Werner v. Emerson Hotel & Restaurant Co. Inc.	589
Sly, W. W. Mfg. Co. v. Pangborn Corporation	598	Western Maid, The	589
Smietanka, Collector of Internal Revenue v. Indiana Steel Co.	185	White v. Riley	282
Smith v. Maberry	84	Williams v. Exp. Co.	568
Sockett v. Masonic Protective Ass'n.	179	Willis v. Kranendonk	180
Southern Trust Co. v. American Bank, <i>etc.</i> , Co.	182	Wimpheimer & Bros. Inc. v. Schwartz	51
Southern Trust Co. v. American Bank of Commerce & Trust Co.	278	Woodland State Bk. v. McKean ..	482
Sparandera v. Staten Island Garage	276		
Sprague, People <i>ex rel.</i> v. Clark ..	458		

TABLE OF CASES

IX

	PAGE		PAGE
Wulfsohn <i>v.</i> Russian Socialist		born Corporation	598
Federated Soviet	595	Yarlott <i>v.</i> Brown	451
W. W. Sly Mfg. Co. <i>v.</i> Pang-		Young <i>v.</i> Povich	595

INDEX OF SUBJECTS

ACCESSION.		PAGE
Adjunction.		118
Confusion.		119
Specification:		
innocent trespasser seeking to re-	cover for labor performed	117
measure of damages.		108
plaintiff seeking damages.		110
<i>bona fide</i> owner v. <i>bona fide</i> pur-	chaser from innocent tres-	
passer.		114
<i>bona fide</i> owner v. <i>bon fide</i> tres-	passer.	111
<i>bona fide</i> owner v. innocent pur-	chaser from wilful tres-	
passer.		115
<i>bona fide</i> owner v. <i>mala fide</i> tres-	passer.	112
<i>mala fide</i> owner v. <i>mala fide</i> tres-	passer.	113
remedies.		110
plaintiff seeking specific property.		104
comparative value theory.		106
physical identity.		105
theory that owner may recover from	wilful trespasser.	107
ACTIONS.		
Cause of: see under PLEADING AND	PRACTICE.	
<i>In rem</i> and <i>quasi-in-rem</i> : service by	publication see under PROCESS.	
In another state enjoined.		360
ADMINISTRATIVE LAW.		
Elections: see under ELECTIONS.		
Federal Trade Commission: see under	FEDERAL TRADE COMMISSION.	
ADMIRALTY.		
Jurisdiction:		
hydro-aeroplane.		272
Workmen's Compensation Acts.		368
Maritime lien on government vessel:	subsequent transfer of vessel	589
Restraint of Princes.		73
ADOPTION.		
History of.		332
Law of:		
New York State:		
Domestic Relations Law.		337
Necessary reforms.		341
United States.		336
AGENCY.		
See under PRINCIPAL AND AGENT.		
ANNULMENT.		
Marriage: see under MARRIAGE.		
ARMY AND NAVY.		
Courts-martial: jurisdiction over one	improperly drafted.	179
ASSIGNMENT.		
Equitable: service by publication: see	under PROCESS.	
Expectant inheritance.		474
Lease: see under LANDLORD AND TEN-	ANT.	
Letters of Credit: see under LETTERS OF	CREDIT.	
ATTACHMENT.		
Service by publication: see under	PROCESS.	
ATTORNEY AND CLIENT.		
See under ATTORNEYS.		
ATTORNEYS.		
Disbarment: solicitation of business.		73
Incompetence of: criminal law: new	trial.	276
Partnership: liability for misapplica-	tion of clients' funds.	673
AVIATION.		
Regulatory statutes.		754
AWARD AND ARBITRATION.		
Mistake: effect of.		475
Transportation Act: compulsory wage	arbitration.	682
BAILMENTS.		
Carriers: see under CARRIERS.		
Contract to return in good condition:	impossibility of performance.	74

	PAGE
Depositories: status of.	354
Trust receipts: see under TRUST RECEIPTS.	

BANKRUPTCY.

Banks: state preference under statute.	475
Chattel mortgages: equitable.	580
Chattel mortgage unrecorded: validity of in bankruptcy.	580
Corporate Reorganization: see under CORPORATIONS.	
Insurance: life: statute providing not available for creditors.	172
Partnership: liability of individual partners.	348
Preference for holder of trust receipt: see under TRUST RECEIPTS.	
Set-off and counterclaim: stockholder's liability for stock sold below par.	74
Taxes due Federal Government.	368
Trustee's: subrogation of claim against trust estate: see under TRUSTS.	

BANKS AND BANKING.

Bank and depositor: relationship of.	175
Bank note in France: see under NEGOTIABLE INSTRUMENTS.	
Bank receiving paper for collection.	673
bankrupt bank paying by cashier's check: preferred claim.	673
Bankruptcy: state preference under statute.	475
Foreign exchange: see under FOREIGN EXCHANGE.	
Knowledge of cashier as knowledge of bank.	176
Letters of Credit: see under LETTERS OF CREDIT.	
Negotiable Instruments: see under NEGOTIABLE INSTRUMENTS.	
Savings department depositor: secured creditor: methods of proving claim against other assets.	755
Statute of Frauds: cable transfer of foreign exchange.	378
Trust receipts: see under TRUST RECEIPTS.	

BILLS AND NOTES.

See under NEGOTIABLE INSTRUMENTS.

BILLS OF LADING.

Effect upon trust receipts: see under TRUST RECEIPTS.	
Seller's order: passing of property: at common law.	462
under English Sales of Goods Act.	464
under Uniform Sales Act.	462
Uniform Ocean Bill of Lading.	365

BIOGRAPHY.

	PAGE
See under LEGAL BIOGRAPHY.	

BONDS.

Joint obligees: non-joinder of parties.	369
Penal.	422

BURDEN OF PROOF.

See under EVIDENCE.

BROKERS.

Hypothecation of customer's securities:	
bankrupt broker:	
lien of.	156
marshaling and distribution of assets.	158
Special contract of employment: commissions.	272

BUSINESS.

Farmers' coöperative associations.	470
Government regulation: see under GOVERNMENT REGULATION OF BUSINESS.	
Packing industry: Packers Act.	68

CANCELLATION OF INSTRUMENTS.

Apprenticeship contracts.	757
Deeds: duress by third persons.	592
Equity: alternative decree.	593
Mortgage barred by Statute of Limitations.	451

CARRIERS.

Interstate Commerce Act: Contracts in violation of.	564
Railroads: see under RAILROADS.	
Transportation Act: compulsory wage arbitration: Railroad Labor Board.	682

CAUSATION.

Torts: proximate cause: see under TORTS.	
Workmen's compensation: see under WORKMEN'S COMPENSATION ACTS.	

CHARITABLE TRUSTS.

Liability for nuisances.	749
Liability for torts.	748

CHATTEL MORTGAGES.

Trust receipts compared with: see under TRUST RECEIPTS.	
Unrecorded: validity of in bankruptcy: before Bankruptcy Act.	580
under Bankruptcy Act.	580

COMMERCE.

See under CONSTITUTIONAL LAW, INTER-STATE COMMERCE.

COMMON LAW.

Capacity for expansion.
Influence of economic and social forces. 694
Legal history:
 conflict between Roman and Common law. 696
 law laid down adjectively rather than substantively; 694
 effect upon contract law. 703
 effect upon real property law. 702
 importance of forms of action 701
 value as aid to understanding of modern law. 709

CONDITIONS.

Precedent:
 definition. 423
 insurance. 425
 penal bonds. 422
 prospective impossibility of performance. 423
 supervening impossibility of performance:
 by obligee. 423
 by obligor. 422
 in insurance policies: see under INSURANCE.
Sales: see under SALES.

CONFLICT OF LAWS.

Insurance: see under INSURANCE.
Proceedings in other states enjoined. 360
Workmen's Compensation Acts. 263

CONSTITUTIONAL LAW.

Amendments: see under CONSTITUTIONS.
Child labor: taxation of products of. 370, 659
Confiscation of liquors of American and foreign ships. 759
Corporate Reorganization: see under CORPORATIONS.
Dower as "privilege and immunity." 674
Due process of law: see under DUE PROCESS OF LAW.
Equal protection of the laws: limitations on state police power. 252
Federal courts: state statute ousting jurisdiction: removal of action by foreign corporation. 476
Forfeiture: see under FORFEITURE.
Fraud orders. 590
Freedom of speech: fraud orders. 590

PAGE

Illegal contracts: see under ILLEGAL CONTRACTS.
Interstate commerce: see under INTER-STATE COMMERCE.
Monopolies: see under MONOPOLIES.
Non par value stock: taxation at a deemed valuation. 676
Police power: see under POLICE POWER.
Rate making: see under PUBLIC SERVICE COMPANIES.
Referendum: Legislative discretion. 273
Resale price maintenance. 351
Restraint of trade: see under RESTRAINT OF TRADE.
Retrospective legislation: constitutionality. 460
Self-executing amendments: operation of federal law conditioned on state law. 175
Service of process: see under PROCESS.
Taxation: see under TAXATION.
Unlawful seizure: Fourth Amendment. 77

CONSTITUTIONS.

Amendments:
 Eighteenth: see under EIGHTEENTH AMENDMENT.
 Fourteenth:
 "Due process" and "Equal Protection" clauses: limitation on state police power. 252
 Seventeenth:
 effect on Congressional regulation of Senatorial elections. 55
 Tenth:
 state regulation of senatorial elections. 57
Federal:
 Article 1, Section 4. 55
 Article 1, Section 8. 55
State:
 self-executing amendments: operation of federal law conditioned on state law. 175

CONSTRUCTIVE TRUSTS.

Statute of Frauds: see under STATUTE OF FRAUDS.

CONTINGENT INTERESTS.

See under VESTED, CONTINGENT AND FUTURE INTERESTS.

CONTRACTS.

Apprenticeship rescission. 757
Beneficiaries: contract between plaintiff and stranger as a defense. 757
Breach:
 anticipatory: land: accrual of action: specific performance. 280
 telegraph and telephone companies:

	PAGE
negligent breach of contract: damages.	683
trusts estate's liability: see under TRUSTS.	
trustee's liability: see under TRUSTS.	
Conditions: see under CONDITIONS.	
Consideration: effect of inadequacy.	674
Damages: measure of: see under DAMAGES.	
Good will: see under GOOD WILL.	
Illegal: see under ILLEGAL CONTRACTS.	
Impossibility of performance by plaintiff.	275
Insurance: see under INSURANCE.	
Mutuality: New York rule: specific performance.	185
Partnership: see under PARTNERSHIP.	
Ratification by undisclosed principal.	465
Reformation: see under REFORMATION.	
Requirement: uncertainty: estimate.	75
Rescission: see under RESCISSION.	
Restraint of trade: see under RESTRAINT OF TRADE.	
Sales: see under SALES.	
Sealed instruments: suit by undisclosed principal.	82
Statute of Frauds: see under STATUTE OF FRAUDS.	
Statute of Limitations: see under LIMITATION OF ACTIONS.	
Stock: see under STOCKS.	
Usage: admissibility of evidence of.	741
Usurious: see under USURY.	

CONVERSION.

See under TROVER AND CONVERSION.

CONVEYANCES AND TRANSFERS OF PROPERTY.

See under ASSIGNMENT, DEEDS, SALES.

COPYRIGHTS.

Literary property: Common law rights.

182

CORPORATIONS.

Charitable: see under CHARITABLE TRUSTS.

Director's liability upon dissolution: joinder of parties.

675

Entity:

estoppel by lease.

370

nature of stockholder's interest when sole property of corporation is realty.

751

Fraud in inducing subscriptions.

477

Inspection of books: mandamus.

590

Insurable interest of: in lives of its officers and stockholders.

170

Knowledge of officer as knowledge of corporation.

176

	PAGE
Municipal: see under MUNICIPAL CORPORATIONS.	
Negotiable instruments: accommodation parties: liability of corporation.	680
Realty sole property of: nature of stockholder's interest:	
as an interest in realty.	752
in general	751
Reorganization:	
bankruptcy court insufficient to deal with.	14
economic considerations:	26, 130
powers of federal equity courts.	21, 22, 121
priority for new money:	
cash provision required for non-assentors.	126
constitutionality.	18
escape from rule compelling cash payment to non-assentors.	14, 23
escape from rule limiting creation of prior liens.	14
over non-assenting creditors.	15, 17, 20, 122
Service of process on: see under PROCESS.	
State statute revoking license for removal of suit.	476
Stock: see under STOCKS.	
Voting trusts: see under VOTING TRUSTS.	

COUNTERCLAIM.

See under SET-OFF AND COUNTERCLAIM.

COURTS.

Counterclaim in excess of jurisdiction.	371
Permanent Court of International Justice:	
antecedents.	497
judges: biographical.	502
judgments.	506
advisory	507
jurisdiction.	511
procedure.	507
rules of court.	518
statute creating.	511
trials.	504, 510

CREDITORS.

Gift in fraud of: curtesy: attachment.	84
Trust estates: rights against: see under TRUSTS.	

CRIMINAL LAW.

Attorney's incompetence: new trial.	276
Burglary: indictment: variance.	275
Jurisdiction over Indians on New York reservations: see under INDIANS.	
Jury: see under JURY.	

	PAGE		PAGE
Larceny: see under LARCENY.		DEEDS.	
Perjury: acquittal of another crime as bar to subsequent indictment for.	478	Duress by third persons.	592
Restraint of trade: see under RE- STRAINT OF TRADE.		DEPOSITARIES.	
Spiritualism:			PAGE
mediums.	440	Involuntary: status of.	354
obtaining money under false pre- tences.	442, 445	DESCENT AND DISTRIBUTION.	
vagrancy.	444	Fraud by beneficiary.	592
Trust receipt: violation.	420	Trusts: see under Trusts.	
Venue: see under VENUE.		DIVORCE.	
CURTESY.		Subsequent remarriage: estoppel of complainant in previous action.	76
Gift in fraud of creditors: attach- ment.	84	DOMESTIC RELATIONS.	
CUSTOM AND USAGE.		Adoption: see under ADOPTION.	
Distinguished: incorrectly used synony- mously.	741	Annulment of Marriage: see under MARRIAGE.	
Usage: admissibility of evidence of.	742	Divorce: see under DIVORCE.	
DAMAGES.		DOMICILE.	
Loss of income derived from gambling: wrongful death statute.	758	Conflict of laws: see under CONFLICT OF LAWS.	
Measure of:		DOWER.	
contracts:		Constitutionality of statute limiting.	674
Negligently breached: telegraph and telephone companies.	683	Mechanics' lien: priority of.	372
sale of identical property.	457	Partition sale: wife of tenant in com- mon a necessary party.	177
in wilful trespass: see under ACCES- SION.		DUE PROCESS OF LAW.	
libel and slander: mental suffer- ing.	678	Service by publication: see under Process.	
replevin: detention of property.	766	State police power: limitation un- der.	252
sales:		DURESS.	
goods not readily marketable.	458	Deeds: duress by third persons.	592
trover and conversion:		EASEMENTS.	
ordinary.	455	Abutting owner's right of access.	376
property without market price.	455	Railroad right of way: adverse posses- sion: prescriptive rights.	765
Rate of foreign exchange in law of:		Ways: neither terminus on dominant estate.	479
breach date rule.	218	EIGHTEENTH AMENDMENT.	
doctrine of re-exchange.	233	Confiscation of liquors of:	
general rule of damages.	234	American ships.	759
judgment date rule.	221	foreign ships.	759
reasonable time rule.	246	ELECTIONS.	
transmission of funds.	219, 246	Eligibility for office: Mandamus to compel printing of names on bal- lots.	373
DEBT.		Senatorial: primary:	
Attachment: service by publication: see under PROCESS.			
Cancellation of Mortgage: debt barred by the Statute of Limitations.	451		
Premature tender by debtor.	372		
DECEIT.			
Corporations: fraud in inducing sub- scriptions.	477		
Foreign law: question of fact.	591		
Statute of Frauds as a defense.	758		

	PAGE
Congressional regulation: expenditures of candidates.	56
state regulation.	57
Unqualified voters: retrospective legis- lation to legalize.	458
EQUITABLE CONVERSION.	
Real property: New York powers.	599
EQUITABLE MORTGAGES.	
See under MORTGAGES.	
EQUITY.	
Assignment: see under ASSIGNMENT.	
Cancellation of instruments: see under CANCELLATION OF INSTRUMENTS.	
Cloud on title: mortgage barred by Statute of Limitations.	452
Decrees: alternative.	593
consent.	344
<i>res judicata</i> .	345
Equitable Assignments: see under AS- SIGNMENT.	
Equitable defenses in law: federal statute allowing: procedure un- der.	482
Equitable liens: see under LIENS.	
Equitable mortgages: see under MORTGAGES.	
Injunctions: see under INJUNCTIONS.	
Jurisdiction: conspiracy in restraint of trade.	344
Marketable title: see under SPECIFIC PERFORMANCE.	
Mortgages: see under MORTGAGES.	
Quieting title: mortgage barred by Statute of Limi- tations.	452
repayment of loan as a condition.	483
Reformation: see under REFORMATION.	
Rescission: see under RESCISSION.	
Specific performance: see under SPE- CIFIC PERFORMANCE.	
Statute of Frauds: specific perform- ance: see under STATUTE OF FRAUDS.	
Trusts: see under TRUSTS.	
Usury: equitable relief.	186
ESTOPPEL.	
By lease: corporations: entity.	370
Complainant in previous divorce action: estopped to question subsequent re- marriage.	76
Statute of Limitations: waiver at in- ception of contract.	484
EVIDENCE.	
Admissibility of usage.	742
Admissions by silence.	760
Corroboration of accomplices.	76
Damage: trover and conversion: evi- dence admissible.	457

	PAGE
Discovered after conviction: impeach- ing witness.	177
Hearsay: declarations to physician.	177
Negotiable instruments: want of con- sideration: burden of proof.	481
Parol evidence rule: written instrument not expressing entire agreement.	178
Physical examination: libel and slan- der.	479
Presumptions: burden of proof.	677
wills: duplicate: loss of one: pre- sumption of revocation.	684
Statute of Frauds: see under STATUTE OF FRAUDS.	
Unlawful seizure: Fourth Amend- ment.	77
Witnesses: privilege against self- crimination.	282
FACTORS ACTS.	
Relation of trust receipts to: see under TRUST RECEIPTS.	
FEDERAL COURTS.	
"Consent decree": Supreme Court of District of Columbia: effect upon packers.	69
Equitable defenses in law: federal statute allowing: procedure under.	482
Jurisdiction: state statute ousting.	476
Procedure: state law as rule of de- cision.	77
FEDERAL TRADE COMMISSION.	
See under GOVERNMENT REGULATION OF BUSINESS, UNFAIR COMPETITION.	
FOREIGN EXCHANGE.	
Bank note in France: see under NE- GOTIABLE INSTRUMENTS.	
Cable transfer of: Statute of Frauds.	378
Rate of, in law of damages: see under DAMAGES.	
FORFEITURE.	
Personal property: trial by jury.	273
FRAUD.	
Constructive: oral agreements as to realty: see un- der STATUTE OF FRAUDS.	
Corporations: fraud in inducing sub- scriptions.	477
Descent and distribution: fraud by beneficiary.	592
Marriage: nature of fraud required to annul.	662
Negotiable instruments: fraud in the factum.	596.

	PAGE		PAGE
Payment of Insurance induced by.	59	Resale price maintenance.	351
Silence as.	485		
FUTURE INTERESTS.		INDIANS.	
See under VESTED CONTINGENT AND		On New York State reservations:	
FUTURE INTERESTS.	AND	criminal responsibility.	100
		jurisdiction of State courts.	102
GOOD WILL.		status.	97
Conflicting theories of:		INFANTS.	
as inherent in the buildings, etc.	639	Apprenticeship contracts: rescission.	757
as intangible connection between en-		Fraudulent misrepresentations of age.	78
terprise and public.	646	Illegally employed: recovery under	
as reputation, habit, etc.	650	Workmen's Compensation Act.	375
as result of personal effort.	642	Pre-natal injury.	379
as value.	645	Rescission of executed contract: bene-	
economists view.	638, 648	fits received thereunder.	276
improper analysis.	652		
remedy.	652	INJUNCTIONS.	
GOVERNMENT REGULATION		Apprenticeship contract: injunction to	
OF BUSINESS.		restrain enforcement refused.	757
Clayton Act: effect upon packers.	69	Employers enjoined from breach of	
"Consent decree" of Supreme Court of		contract.	380
District of Columbia: effect upon		Forfeiture provided to secure perform-	
packers.	69	ance of contract. Threatened	
Federal Trade Commission effect upon		breach enjoined.	760
packers.	69	Inducing employees to join union in	
Packers Act.	68	violation of contract of employ-	
Resale price maintenance.	351	ment.	78
Sherman Anti-Trust Act: effect upon		Labor disputes.	252
packers.	69	Proceedings in another state.	360
		Threatened sale of property: tax or	
HABEAS CORPUS.		penalty.	761
Jurisdiction of courts-martial: deser-		INNKEEPERS.	
tion by one improperly drafted into		Liability: Refusing room to married	
army.	179	couple without baggage as slan-	
HIGHWAYS.		der.	678
Abutting owner's right of access.	376		
HISTORY OF LAW.		INSURANCE.	
Capacity for expansion.	695	Code of insurance and creditor's rights:	
Conflict between Roman and Common		Wyoming.	172
law.	696	Conditions: supervening impossibility	
Influence of economic and social		of performance as to:	
forces.	694	conditions relating to proof and en-	
Law laid down adjectively rather than		forcement.	623
substantively:		conditions relating to the risk.	618
forms of action:		payment of premiums.	614
effect upon contract law.	703	Corporations: insurable interest of: in	
effect upon real property law.	702	lives of officers and stockhold-	
importance.	701	ers.	170
Value as aid to understanding of mod-		"Incontestable clause."	171
ern law.	709	Indemnity: violation of penal statute by	
		insured: public policy.	480
HUSBAND AND WIFE.		Liability: rights of injured, party	
Annulment of Marriage: see under		against insurer.	173
MARRIAGE.		Mutual benefit associations: benefi-	
Curtsey: see under CURTESY.		ciaries: conflict of laws.	594
Divorce: see under DIVORCE.		Payment of insurance induced by:	
Dower: see under DOWER.		fraud.	59
		Mistake of fact.	57
ILLEGAL CONTRACTS.		Public as beneficiary: breach of condi-	
Clayton Act: application of.	477	tion by insured.	373
Interstate Commerce Act: contracts in		Subrogation: assignment: location of	
violation of.	564	risk.	762

	PAGE
Voluntary exposure to unnecessary danger.	179
Waiver of non-waiver clause.	277

INTERNATIONAL LAW.

Permanent Court of International Justice: see under COURTS.	
Unrecognized government: capacity to sue.	277
liability to be sued.	595

INTERSTATE COMMERCE

Act: contracts in violation of.	564
Employers' Liability Act.	38
Hours of Service Act.	43
Packing industry: Packers Act.	68
Police power: as affecting.	43, 47
Resale price maintenance.	351
Restraint of Trade: see under RESTRAINT OF TRADE.	
State Power after Congressional action.	28, 47
State Regulation of:	
bridges and ferries.	29
demurrage.	34
hours of labor.	43
infected stock.	45
intrastate rates.	36
liability of interstate carriers.	32, 38
liquors.	47
pilots on boats entering harbors.	29
pure food.	44
safety appliances.	42
telegraph companies.	46
State taxation:	
commercial reporting agencies.	141
independent local business.	140
inspection fees.	134
insurance companies.	142
license fees.	136
occupation tax.	140
original package.	139
persons engaged in other than interstate commerce.	138
solicitation of purchases.	137
State taxing power: as affected by foreign corporations:	133
corporate excises measured by total capital stock.	145
property tax measured by gross receipts.	143
transit interrupted for independent object	148

INTOXICATING LIQUORS.

Forfeiture of property for illegal transportation.	273
Lease for saloon: prohibition.	278
Volstead Act: right to transport.	480

JUDGES.

Permanent Court of International Justice: see under COURTS.	
---	--

JUDGMENTS.

	PAGE
Payment with agreement not to satisfy. validity of it as security for another debt.	762
Permanent Court of International Justice: see under COURTS.	
Res judicata: see under RES JUDICATA.	
Retrospective legislation: effect upon.	458
Verdict: see under VERDICT.	

JURISDICTION.

Admiralty: see under ADMIRALTY.	
Courts-martial: one improperly drafted into army.	179
Equity: see under EQUITY.	
Federal courts: state statute ousting jurisdiction.	476
Over Indians: see INDIANS.	
Permanent Court of International Justice: see under COURTS.	

JURISPRUDENCE.

Common law: see under COMMON LAW.	
History of law: see under HISTORY OF LAW.	
Law or fact:	
historical reason for distinction.	1
misrepresentation of.	9
mistake of.	9
pleading and practice.	7
remedies.	13
warranty.	9
Literature of law:	
necessary improvements:	
formulation of a comprehensive code.	200
legal simplification.	203
unmanageable bulk.	198

JURY.

Non-direction after refusing erroneous instruction.	162
Quotient verdicts.	380
Separation in capital case.	374
Verdict: see under VERDICT.	

LABOR UNIONS.

See under TRADE UNIONS.

LANDLORD AND TENANT.

Assignment of term: assignee's liability after reassignment.	79
Constructive eviction.	678
Co-tenant: liability of surety on lease renewal.	80
Lease for:	
saloon: prohibition.	278
temporary purpose: implied warranty of suitability.	595
Rent: surrender of lease.	180

LARCENY.		PAGE
Value of article immaterial.	676	
LAW.		
Common law: see under COMMON LAW.		
Foreign: misrepresentation of.	591	
History: see under HISTORY OF LAW.		
Literature of:		
necessary improvements:		
formulation of a comprehensive code.	200	
legal simplification.	203	
unmanageable bulk.	198	
LAW OR FACT.		
See under JURISPRUDENCE.		
LEASES.		
See under LANDLORD AND TENANT.		
LEGAL BIOGRAPHY.		
Members of Permanent Court of International Justice: see under COURTS.		
LEGAL HISTORY.		
See under HISTORY OF LAW.		
LEGAL PHILOSOPHY.		
See under JURISPRUDENCE.		
LEGISLATION.		
Aviation.	754	
Code of insurance and creditors' rights: Wyoming.	172	
Farmer's cooperative associations.	470	
"Incontestable clause" in life policies.	171	
Insurable interest of Corporations in lives of officers and stockholders.	170	
Liability insurance: rights of injured party against insurer: Rhode Island.	173	
Licensing: regulation of.	269	
Methods for proving a secured creditor's claim against other assets.	755	
Packers Act: packing industry.	68	
Referendum: legislative discretion.	273	
Retrospective and curative: constitutionality.	459	
final judgment: appeal provided.	459	
pending suits: effect upon.	459	
Uniform Conditional Sales Act: as adopted in New York.	585	
Uniform Ocean Bill of Lading.	365	
LETTERS OF CREDIT.		
Assignability.	305	
Contract rights.	300	
Form.	299	
Forms.	312	
Kinds.	298	
Obligations of bank:		
character or quality of the goods.	309	
compliance with terms.	305	
forgeries.	308	
Trust receipts: see under TRUST RECEIPTS.		
LIBEL AND SLANDER.		
Damages: mental suffering.	678	
Evidence: physical examination.	479	
Inkeeper's liability for refusing room to married couple without baggage.	678	
Privilege: newspaper: "slack" list.	374	
LICENSES.		
Licensing: regulation of.	269	
LIENS.		
Equitable: payment as condition to specific performance.	483	
Maritime lien on government vessel: subsequent transfer of vessel.	589	
Payment of judgment with agreement that it is not to be satisfied, but to be used as security for another debt.	762	
Mechanics': priority over dower.	372	
LIMITATION OF ACTIONS.		
Adverse possession: land claimed by state.	181	
Concealment of cause of action.	280	
Extending or reviving cause of action: statutory construction.	767	
Mortgages: cancellation when debt barred.	451	
Railroads: federal control: revival of barred statutory rights at expiration of.	481	
Real property: tortious feoffment by life tenant.	84	
Waiver: at inception of contract.	484	
LIMITED PARTNERSHIPS.		
See under PARTNERSHIP.		
MANDAMUS.		
Corporations: inspection of books.	590	
Elections: eligibility for office: compelling printing of names on ballots.	373	
MARITIME LIENS.		
Government vessels: subsequent transfer of.	589	
MARRIAGE.		
See also HUSBAND AND WIFE.		
Annulment:		
fraud: nature required.	662	
affecting marital status.	662	

	PAGE
as affected by consummation.	664
as affected by immaturity of plaintiff.	665
concealment of disease.	663
concealment of physical deformity.	664
Misrepresentations of a non-physical character.	664
Divorce: see under Divorce.	

MASTER AND SERVANT.

Employers' Liability Acts: see under WORKMEN'S COMPENSATION ACTS.	
False imprisonment by store manager.	80
Principal and agent: see under PRINCIPAL AND AGENT.	
Scope of employment: territorial limits.	573
Verdict exonerating servant as release of master.	596
Workmen's Compensation Acts: see under WORKMEN'S COMPENSATION ACTS.	

MINES AND MINERALS.

Oil in place: corpus or income.	681
---------------------------------	-----

MISREPRESENTATION.

Corporations: fraud in inducing subscriptions.	477
Foreign law: question of fact.	591
Infants:	
fraudulent misrepresentation of age.	78
rescission of executed contract.	276

MISTAKE.

Award and arbitration: effect of mistake.	475
Negotiable instrument: alteration: see under NEGOTIABLE INSTRUMENTS.	
Of fact:	
Money paid by.	57
Of law: in New York:	
recovery of money paid.	166
reformation.	167
rescission:	
in equity.	169
in law.	168

MONEY.

Foreign exchange: see under FOREIGN EXCHANGE.	
---	--

MONOPOLIES.

Resale price maintenance.	351
---------------------------	-----

MORTGAGES.

Acceleration Clauses: equitable relief.	266
Chattel mortgage: see under CHATTEL MORTGAGES.	
Equitable:	

	PAGE
against trust estate: see under TRUSTS.	
chattel mortgages unrecorded: validity in bankruptcy.	580
priority over subsequent equitable lien.	81
Security for debt barred by Statute of Limitations: cancellation.	451
Waiver: acceptance of interest after default accelerating maturity.	679

MUNICIPAL CORPORATIONS.

Power to engage in business:	
constitutionality.	737
financial inducements to enterprises to locate in city.	740
implied from charter.	737
types allowed.	741

NEGLIGENCE.

Articles not dangerous: liability to third persons in absence of contractual duty.	764
Inherently dangerous articles: liability to third persons.	680
Last clear chance doctrine.	745
Proximate cause.	379
<i>Res ipsa loquitur</i> .	764
Torts: see under TORTS.	

NEGOTIABLE INSTRUMENTS.

See also BANKS AND BANKING.	
Accommodation parties: corporation's liability.	680
Agency: signer of check as agent.	589
Banknote: compulsory circulation:	
as legal tender.	430
as payment when gold specified:	
by foreign corporation in France.	436
by foreigner residing in France.	436
by Frenchman living abroad.	437
in domestic transactions.	435
history.	430
in France.	430
in other countries.	431
Checks:	
certified: illegal consideration as defense.	82
payment by cashier's check as acceptance.	278
Form: when complete and regular on face: under N. I. L.:	
alterations:	
apparent.	160
effect upon acceptance or payment.	260
non-apparent.	160
Price v. Neal: doctrine of.	260
blanks.	160
incomplete.	159
indorsement of partial payment.	161

	PAGE
irregularities: miscellaneous.	161
post-dated.	159
restrictive indorsements.	161
Fraud in the factum: immediate parties.	596
Holder in due course:	
form: see under Form.	
Indorsement:	
accommodation: value.	279
form: see under Form.	
Innocent purchaser for value: corporations: knowledge of officer as knowledge of corporation.	176
Letters of credit: see under LETTERS OF CREDIT.	
Marginal annotations.	589
Negotiable Instruments Law: see under STATUTES.	
Telegram as check.	182
Trust receipts: see under TRUST RECEIPTS.	
Value: contingent liability.	279
Want of consideration: burden of proof.	481
NUISANCE.	
Charitable trusts: liability for nuisance.	749
PARENT AND CHILD.	
Adoption: see under ADOPTION.	
PAROLE EVIDENCE RULE.	
Written instrument not expressing entire agreement.	178
PARTIES.	
Joint obligees: nonjoinder: bonds.	369
Witnesses: see under WITNESSES.	
PARTNERSHIP.	
Attorneys: liability for misapplication of client's funds.	673
Bankruptcy:	
liability of individual partners.	348
Breach of partnership agreement: action at law for damages.	597
Limited Partnerships:	
"Persons interested" under N. Y. Limited Partnership Act.	576
Uniform Limited Partnership Act: adoption in N. Y.: changes in N. Y. law.	669
Test of:	
at common law.	576
under Limited Partnership Act.	577
under Uniform Partnership Act.	576
"persons interested."	576
Workmen's compensation: partner as employee.	685
PATENTS.	
Infringement: excess profit taxes.	597
Resale price maintenance.	351

PENALTIES.

	PAGE
Taxation: threatened sale: injunction: tax or penalty.	761

PERJURY.

Acquittal of another crime as bar to subsequent indictment for,	478
---	-----

PERSONAL PROPERTY.

Accession: see under ACCESSION.
Bailments: see under BAILMENTS.
Chattel mortgages: see under CHATTEL MORTGAGES.
Conversion: see under TROVER AND CONVERSION.
Damages: see under DAMAGES.
Debt: see under DEBT.
Leases: see under LANDLORD AND TENANT.
Negotiable instruments: see under NEGOTIABLE INSTRUMENTS.
Possession: see under TITLE, OWNERSHIP AND POSSESSION.
Replevin: see under REPLEVIN.
Sales: see under SALES.
Stocks: see under STOCKS.
Taxation: see under TAXATION.
Trespass: see under TRESPASS.
Wills: see under WILLS.

PHYSICIANS AND SURGEONS.

Declarations to: evidence.	177
----------------------------	-----

PLEADING AND PRACTICE.

Attorney's incompetence: criminal law: new trial.	276
Bonds: joint obligees: non-joinder of parties.	369
Cause of action:	
meaning under New York Codes.	61
Counterclaim: see under SET-OFF AND COUNTERCLAIM.	
Decrees: consent: see under EQUITY.	
Equitable defenses in law: federal statute allowing: procedure under.	482
Indictment: variance: larceny.	275
Jury: see under JURY.	
Negotiable instruments: want of consideration: burden of proof.	481
N. Y. Rules of Civil Practice: Validity of Rule 113.	483
Non-direction to jury.	162
Service: see under PROCESS.	
Trials: see under TRIALS.	
Verdicts: see under VERDICTS.	

PLEDGES.

By broker: customer's securities: see under BROKERS.
Trust receipts compared with: see under TRUST RECEIPTS.

POLICE POWER.	
	PAGE
Abutting owner's right of access.	376
Interstate Commerce: see under INTER-STATE COMMERCE.	
State: limitations on: under	14th Amendment. 252
POWERS.	
New York: equitable conversion.	599
PRESCRIPTION.	
Railroad right of way: adverse possession.	765
PRINCIPAL AND AGENT.	
Bills and notes: signer as agent: marginal annotations.	589
Brokers: see under BROKERS.	
Liability of undisclosed principal and agent: election.	474
Master and servant: see under MASTER AND SERVANT.	
Ratification by undisclosed principal.	465
Statute of frauds: Agency to sell land: liability of principal.	85
Undisclosed principal:	
Statute of Frauds: part payment: part of property belonging to principal.	765
suit on sealed instrument.	82
PROCEDURE.	
Equitable defenses in law: federal statute allowing: procedure under.	482
Federal courts: see under FEDERAL COURTS.	
Permanent Court of International Justice: see under COURTS.	
PROCESS.	
Corporations: officer as witness exempt from service.	598
Service:	
by publication: non-resident: actions in rem:	
clear title to stock.	154
debt.	153
due process.	152
equitable assignment of insurance.	154
garnishment.	153
lien upon partnership assets.	152
foreign corporations:	
doing business within state.	83
on agents: causes of action arising outside state.	369
PROPERTY.	
Concept of: law of sales: see under SALES.	

	PAGE
Personal: see under PERSONAL PROPERTY.	
Real: see under REAL PROPERTY.	
PROXIMATE CAUSE.	
See under NEGLIGENCE, TORTS.	
PUBLIC SERVICE COMPANIES.	
See also BUSINESS, CARRIERS, FEDERAL TRADE COMMISSION, GOVERNMENT REGULATION OF BUSINESS, RAILROADS, TELEGRAPH AND TELEPHONE	
Rate making.	209
revision of property rights.	209
under 14th Amendment.	209
QUASI-CONTRACTS	
Charitable trusts: quasi-contractual recovery against: torts and nuisances.	750
Infants: rescission of executed contract.	276
Money paid by mistake: see under MISTAKE.	
RAILROADS.	
Carriers: see under CARRIERS.	
Federal control: revival of barred statutory rights at expiration of	481
Railroad right of way: adverse possession: prescriptive rights.	765
Transportation Act: compulsory wage arbitration: Railroad Labor Board.	682
REAL PROPERTY.	
Curtsey: see under CURTESY.	
Equitable conversion: see under EQUITABLE CONVERSION.	
Foreshore: rights in: see under TITLE, OWNERSHIP AND POSSESSION.	
Mines and minerals: oil in place: corpus or income.	681
Powers: see under POWERS.	
Railroad right of way: adverse possession: prescriptive rights.	765
Statute of Frauds: see under STATUTE OF FRAUDS.	
Tortious feoffment by life tenant: Statute of Limitations.	84
RECORDING AND REGISTRY LAWS.	
Chattel Mortgages: unrecorded: validity in bankruptcy.	580
Trust receipts.	405
REFORMATION.	
Mistake: see under MISTAKE.	
RENT.	
See under LANDLORD AND TENANT.	

REPLEVIN.		PAGE
Damages for detention.	766	
RESCISSION.		
Apprenticeship contracts.	757	
Deeds: duress by third persons.	592	
Equity: alternative decree.	593	
Executed contract: infants.	276	
Mistake: see under MISTAKE.		
Sales: see under SALES.		
RES JUDICATA.		
Criminal law: application of doctrine.	478	
Decrees: consent.	345	
Demurrer as to complaint containing formal and substantial defects: judgment determines only former.	763	
Injunction as bar to subsequent action for damages.	180	
RESTRAINT OF TRADE.		
Equity: jurisdiction of.	344	
"Open Competition Plan."	377	
Resale price maintenance.	351	
SALES.		
Acceptance of defective goods: breach of warranty as defense.	183	
Action for price:		
goods not readily resold:		
at common law.	51	
under Uniform Act.	54	
C. I. F. contract: measure of damages.	601	
Conditional:		
compared with doctrine of trust receipts: see under TRUST RECEIPTS.		
distinguished from chattel mortgage.	183	
New York law prior to adoption of uniform act.	584	
Uniform Conditional Sales Act: adoption in New York.	584	
Contracts for work and labor: Statute of Frauds.	767	
Damages: measure of: see under DAMAGES.		
Future goods: contract to sell: "time of sale."	600	
Good will: see under GOOD WILL.		
Implied warranty of merchantable quality.	376	
Letters of credit: see under LETTERS OF CREDIT.		
Property: concept of: under Sales Act.	462	
Resale price maintenance.	351	
Rescission: variance from description.	184	
Risk of loss:		
c. i. f.: bill of lading to seller's order.	465	
f. o. b. seller's place.	465	
Transfer of title:		
bill of lading to seller's order:		
common law.	462	
English Sales of Goods Act.	464	
Uniform Sales Act.	462	
Trust Receipts: see under TRUST RECEIPTS.		
Uniform Sales Act: see under STATUTES.		
Usage: admissibility of evidence of.	741	
SEARCHES AND SEIZURES.		
Unlawful seizure: Fourth Amendment.	77	
SERVICE.		
See under PROCESS.		
SET-OFF AND COUNTER-CLAIM.		
Counterclaim in excess of court's jurisdiction.	371	
SHERMAN ANTI-TRUST ACT.		
"Open Competition Plan."	377	
Packers: effect upon.	69	
SITUS.		
See under CONFLICT OF LAWS, TAXATION.		
SPECIFIC PERFORMANCE.		
Action for price: see under SALES.		
Agreements under Statute of Frauds.	64	
Executory contract: land: accrual of action.	280	
Injunction restraining breach of contract: forfeiture provided to secure performance.	760	
Land: premature tender by vendee.	372	
Marketable title: possibility of issue.	486	
Mutuality:		
action by assignee of vendee.	682	
New York rule.	185	
Repayment of loan as a condition.	483	
Statute of Frauds: agency to sell land: liability of principal.	85	
Stipulation for liquidated damages.	378	
SPIRITUALISM.		
And crime: see under CRIMINAL LAW.		
STATUTES.		
Alabama: Acts 1909 (Sp. Sess.) No. 168.	471	
Arkansas: Gen. Acts 1921, No. 116, p. 153.	471	
Arizona:		
Laws 1921, c. 135, § 9.	270	

	PAGE		PAGE
Sess. Laws 1921, c. 156, p. 373.	471	p. 142, § 5.	472
Aviation statutes.	754	p. 153, § 23.	472
California:		Idaho:	
Laws 1921, c. 649, § 8.	270	Laws 1921:	
Stat. 1921, c. 719, p. 1234.	473	c. 184, § 13.	269
Colorado: Sess. Laws 1921, c. 173, p.		c. 255, § 8.	269
583.	473	Sess. Laws 1921:	
Construction: titles and sectional head-		c. 124, § § 4, 6, 7, 14, 17.	471
notes.	484	c. 124, § 24.	472
English:		c. 124, p. 298.	471
Bills of Exchange Act:		Illinois:	
§ § 13 (2), 64 (1).	160	Ann. Stat. (1913) § 6513.	171
§ 29 (1).	162	Laws 1921:	
Sale of Goods Act: action for pur-		p. 482.	171
chase price: goods not readily		p. 796.	459
resold.	54	Practice Act.	459
6 Edw. VII, c. 58.	569	Indiana:	
60 & 61 Vict., c. 37.	569	Ann. Stat. (Burns 1914) § 4622	a.3.
Federal:			171
Agricultural Coöperative Association		Laws 1921, c. 169, § 3.	269
Act (Capper-Volstead Act).	471	Interpretation:	
Bankruptcy Act: see under BANK-		compulsory arbitration: Railroad La-	
RUPTCY.		bor Board.	682
Clayton Act.	69, 477	extending or reviving cause of action:	
"Consent decree": Supreme Court:		Statute of Limitations.	767
District of Columbia.	69	Iowa: Laws 1921, c. 122, p. 118.	471
Elkins Act.	564	Kansas:	
Federal Trade Commission: see un-		Laws 1921:	
der FEDERAL TRADE COMMISSION.		c. 148, p. 223.	471
Hepburn Act.	564	c. 148, § 13.	471
Interstate Commerce Act.	564	c. 148, § § 20, 22.	472
Judicial Code: § 274b.	482	Kentucky:	
National Prohibition Act: confisca-		Acts 1906, c. 117, p. 429.	471
tion of liquors of American and		Acts 1918, c. 159, p. 662.	471
foreign ships.	759	Stat. (1915) § 655.	172
Pub. Act No. 146, 67th Congr., H. R.		League of Nations: Covenant: Ar-	
2373.	471	ticle 14:	
Sherman Anti-Trust Act: see under		Statute for the Permanent Court of	
SHERMAN ANTI-TRUST ACT.	69	International Justice.	511
2424 Stat. at L. 379.	564	Limited Partnership Act: see under	
26 Stat. at L. 209.	69	PARTNERSHIP.	
32 Stat. at L. 847.	564	Massachusetts:	
34 Stat. at L. 584.	564	Rev. Laws (1902) c. 118, § 73.	172
36 Stat. at L.:		Rev. Laws (Supp. 1908) p. 1200.	171
1087.	482	Michigan: Comp. Laws (1915) §9360.	171
1164.	482	Minnesota:	
38 Stat. at L.:		Gen. Stat. (1913) § § 3465, 3466.	172
717.	69	Laws 1921, c. 523, § 10.	270
730.	69	Missouri:	
956.	482	Laws 1921, pp. 425, 438.	174
Transportation Act.	481	Rev. Stat. (1919) § 6181.	172
U. S. Comp. Stat. (1916)		Montana:	
§ 968.	482	Laws 1921:	
§ 1251 b.	482	c. 152, p. 217.	472
§ 8563.	564	c. 195.	269
§ 8597.	564	c. 233, p. 497.	471
§ 8820.	69	Negotiable Instruments Law:	
§ 8835 a.	69	§ § 1 (1), 1 (2), 6 (3), 8.	160
§ 8836 a.	69	§ § 1 (3), 7, 12.	159
Volstead Act.	480	§ § 6 (1), 14, 52 (1).	159, 160
Georgia:		§ 17 (1).	162
Laws 1921:		§ § 24, 28.	677
p. 139.	471	§ § 29, 55, 59.	681
		§ § 62.	260

	PAGE		PAGE
§ 65.	262	Laws 1921:	
§ 66.	262	c. 98, § 15.	269
§ 124.	262	c. 167, § 10.	270
New Jersey:		Texas:	
Laws 1921:		Gen. Laws 1921 (Reg. Sess.):	
c. 83, p. 134.	473	c. 22, § 26.	472
c. 141, § 14.	269	c. 22, p. 45.	471
c. 224, § 11.	270	Laws 1921:	
New York:		c. 75, § 1.	270
Civ. Prac. Act:		c. 84, p. 165.	170
§ 82.	63	Uniform Conditional Sales Act.	584
§ 84.	63	Uniform Limited Partnership Act: see	
§ 232 (6).	152, 155	under PARTNERSHIP.	
§ 241.	61	Uniform Ocean Bill of Lading.	365
§ 254.	61	Uniform Partnership Act: see under	
§ 255 (2).	61	PARTNERSHIP.	
§ 258.	63	Uniform Sales Act:	
§ 285.	154	§ § 18 (1), 53 (a).	463
§ 422.	62	§ § 19, 20 (2), (3), 25.	463, 464
§ 457 (a).	256	§ § 43 (1), 63 (1).	462
§ 916.	63	§ § 63 (3), 64 (4).	51
Code Civ. Proc.:		Utah:	
§ 438 (5).	152	Laws 1921:	
§ 481 (2).	61	c. 58, § 1.	270
§ 484.	63	c. 113, p. 312.	473
§ 5649 (2).	152	c. 130, § 3 (f).	270
Cons. Laws (1909):		Washington:	
c. 14, § 52.	172	Laws 1921:	
c. 28, § 101.	171	c. 7.	269
Laws 1913, c. 816.	569	c. 115, p. 357.	471
Laws 1919, c. 408.	669	c. 121, p. 384.	472
Laws 1921:		West Virginia:	
c. 407, § 2.	171	Laws 1921:	
Laws 1922, c. 640.	669	c. 106, § 10.	270
Personal Property Law: conditional		c. 107, § 26.	270
sales.	584	Wisconsin: Laws 1921, c. 62, § 6.	270
Rules of Civ. Prac.: Rule 113.	483	Workmen's Compensation Acts: see	
Uniform Conditional Sales Act as		under WORKMEN'S COMPENSATION	
adopted in New York.	584	Acts.	
North Carolina:		Wyoming:	
Laws 1921:		Laws 1921:	
c. 1, § 5.	270	c. 31, § 7.	270
c. 693, § § 12, 24.	270	p. p. 218, 236.	172
Pub. Laws 1921:			
c. 87, p. 342.	471		
c. 87, § 26.	472		
North Dakota:			
Comp. Laws (1913) § 6635 c 3.	171		
Laws 1921, c. 44, p. 87.	471		
Ohio:			
Gen. Code (1920) § 12730 (5).	270		
Laws 1921:			
p. 50.	472		
p. 323.	270		
Oregon:			
Gen. Law 1921, c. 206.	473		
Laws 1921, c. 223, § 13.	269		
Porto Rico:			
Laws 1921:			
c. 14, p. 122.	473		
c. 15, § 8.	270		
Rhode Island: Laws 1921, c. 2094.	173		
Tennessee:			
Ann. Code (Shannon 1917) § 3348 a			
8 (3).	171		
		Agency to sell land: liability of prin-	
		cipal.	85
		As a defense in action of deceit.	758
		Choses in action: cable transfer of for-	
		eign exchange.	378
		Judicial limitation of.	67
		Oral agreements as to realty:	
		promise to execute written agree-	
		ment.	85
		specific performance:	
		constructive fraud: fiduciary rela-	
		tions.	67
		fraud.	64
		part performance.	64
		Part payment: portion of property con-	
		tracted for belonging to undisclosed	
		principal.	765
		Sales: contracts for work and labor.	767

STATUTE OF LIMITATIONS.

PAGE

See under LIMITATION OF ACTIONS.

STOCKHOLDERS.

Mandamus: inspection of corporate books to obtain information to sell. 590
Nature of their interest: corporation's sole property realty. 751
Voting trusts: see under VOTING TRUSTS.

STOCKS.

Bankruptcy: stockholder's liability for stock sold below par. 74
Corporation's sole property realty: nature of stockholder's interest. 751
Non par value:
 contract for sale of stock of \$100 par value: effect of reorganization to issue non par value stock. 656
 differences between non par and nominal par value stock. 657
 taxation at deemed value of \$100 a share: constitutionality. 676
Stockbrokers: see under BROKERS.
Stockholders: see under STOCKHOLDERS.

SURETYSHIP.

Bond to secure judgment: effect of amending complaint. 281
Landlord and tenant: co-tenant: liability of surety on lease renewal. 80

TAXATION.

Bankruptcy: effect upon taxes due federal government. 368
Child labor products. 370, 659
Non par value stock: taxation at a deemed valuation: constitutionality. 676
Patents: infringement: Excess profit taxes. 597
State taxation and interstate commerce: see under INTERSTATE COMMERCE.
Stock exchange seat. 274
Taxes wrongfully collected: liability of federal collector. 185
Threatened sale: tax or penalty: injunction. 76
 estates by entirety: deduction of dower. 768
 joint bank account. 768

TELEGRAPH AND TELEPHONE COMPANIES.

Negligent breach of contract: damages. 683

TENANCY IN COMMON.

Accounting of profits from illegal use of property. 281

PAGE

Dower: see under DOWER.
Trover and conversion: severable chattels. 769

TITLE, OWNERSHIP AND POSSESSION.

Limitation of actions: adverse possession: land claimed by state. 181
Marketable title: see under SPECIFIC PERFORMANCE.
Railroad right of way: adverse possession: prescriptive rights. 765
Rights in foreshore and adjacent lands under water: 707
 English law. 720
 New York law. 722
 of city. 720
 of nation. 725
 of people generally. 726
 of upland owner. 707
 theories: 708
 jus privatum. 734
 jus publicum. 721
 trust. 452
Title:
 bill to quiet: mortgage barred by Statute of Limitations: 452
 cloud on: mortgage barred by Statute of Limitations. 452

TORTS.

Accession of Personality by: see under ACCESSION.
Articles not dangerous: liability to third persons in absence of contractual duty. 764
Charitable trusts: liability for torts. 748
Conversion: see under TROVER AND CONVERSION.
False statement: mental shock and illness. 86
Infants: see under INFANTS.
Inherently dangerous articles: liability to third persons. 680
Intent to injure as affecting otherwise lawful act. 665
 competitors. 666
 legitimate interest of defendant. 666
 Motive mixed. 666, 668
 Motive solely to injure plaintiff. 666
Last clear chance doctrine. 745
Liability of trustee: see under TRUSTS.
Libel and slander: see under LIBEL AND SLANDER.
Master and servant: see under MASTER AND SERVANT.
Negligence: see under NEGLIGENCE.
Negligent breach of contract: telegraph and telephone companies: damage. 683
Proximate cause:
 negligence. 379
 suicide. 601

	PAGE		PAGE
<i>Res ipsa loquitur.</i>	764	Function and Nature.	395
Trespass: see under TRESPASS.		as collateral security.	399
Trover: see under TROVER AND CONVERSION.		relation of parties.	402
Trust estates: liability for trustee's torts: see under TRUSTS.		History of doctrine of.	408
Workmen's compensation: see under WORKMEN'S COMPENSATION ACTS.		Holders preference in bankruptcy.	409, 546
Wrongful death statute: loss of income derived from gambling as damage.	758	Identification of goods or tracing proceeds.	554
		Letters of credit: relation to.	395
		Recordation.	405
		Summary of law of.	560
TRADE NAMES AND TRADE MARKS.		TRUSTS.	
Copyrights: see under COPYRIGHTS.		Banks and banking: see under BANKS AND BANKING.	
Resale price maintenance.	351	Charitable: see under CHARITABLE TRUSTS.	
TRADE UNIONS.		Constructive: see under CONSTRUCTIVE TRUSTS.	
Employers enjoined from breach of contract.	380	Fiduciary relations:	
Injunction: inducing employees to join union in violation of contract of employment.	78	bank receiving paper for collection.	673
Liability for compelling discharge of non-union employee.	282	Trustee:	
Liability to suit.	684	foreign testamentary: liability to suit.	602
Peaceful picketing:		right to indemnity against trust estate.	531
injunction against forbidden by Arizona Statute.	252	tort and contract liability.	530
		Trust estates:	
TRESPASS.		Creditors of: paid by trustee in arrears to.	539
Accession: trespasser's recovery as influenced by motive.	110	equitable mortgages against.	535
Involuntary deposits: owner's liability: see under BAILMENTS.		liability of:	
TRIALS.		bankrupt trustee with right to indemnity.	537
Extended examination by judge.	186	Contract breach by trustee.	528
Jury: see under JURY.		to third persons.	543
Jury trials: see under JURY.		torts of trustee.	540
Permanent Court of International Justice: see under COURTS.		Trust receipts: see under TRUST RECEIPTS.	
Verdict: see under VERDICT.		Voting: see under VOTING TRUSTS.	
TROVER AND CONVERSION.		UNFAIR COMPETITION.	
Damages: measure of: see under DAMAGES.		Clayton Act: effect upon packers.	69
Fraud: silence as.	485	"Consent decree" of Supreme Court of District of Columbia: effect upon packers.	69
Involuntary deposits: misdelivery: see under BAILMENTS.		Federal Trade Commission:	
Tenants in common: severable chattels.	769	effect upon packers.	69
TRUST RECEIPTS.		power to prevent deceptive practices.	593
Compared with chattel mortgage.	400, 548	Packers Act.	68
Compared with conditional sale.	414	Resale price maintenance.	351
Compared with pledge.	399	Sherman Anti-Trust Act: effect upon packers.	69
Criminal liability for breach of.	420		
Effect of factors acts.	549, 552	USAGE.	
Effect of Uniform Bills of Lading Act.	550	See under CUSTOM AND USAGE.	
Effect of Uniform Warehouse Receipts Act.	551	USURY.	
		Equitable relief: payment or tender of amount due.	186

VENDOR AND PURCHASER.

	PAGE
Marketable title: see under SPECIFIC PERFORMANCE.	
Premature tender by vendee.	372
Sales: see under SALES.	
Specific performance: see under SPECIFIC PERFORMANCE.	

VENUE.

Inter-county crime: place of indictment: N. Y. Code Cr. Proc. §	134.
	478

VERDICT.

Directed:	
motions for by both parties: effect.	358
under New York Civ. Prac. Act.	256
Master and servant: verdict exonerating servant as release of master.	596
Quotient.	380
Set aside.	256

VESTED, CONTINGENT AND FUTURE INTERESTS.

Expectant inheritance: conveyance of.	474
---------------------------------------	-----

VOTING.

See under ELECTION.

VOTING TRUSTS.

Validity of.	627
--------------	-----

WAR.

Courts-martial: jurisdiction over one improperly drafted into army.	179
---	-----

WAREHOUSE RECEIPTS.

Effect of Uniform Act upon trust re-

WARRANTY.

ceipts: see under TRUST RECEIPTS.

Breach:

 as defense: sales: acceptance of defective goods. 183

 through mistake of fact: insurance. 58

Lease for temporary purpose: implied warranty of suitability. 595

Sales: see under SALES.

WAYS.

See under EASEMENTS, HIGHWAYS.

WILLS.

Adopted children: revocation.	187
Attestation before testator signs: adoption of witness' signature.	486
Descent and distribution: see under DESCENT AND DISTRIBUTION.	
Duplicate: loss: presumption of revocation.	684
Trusts: see under TRUSTS.	

WITNESSES.

Corporations: officer as witness exempt from service.	598
Corroboration of accomplices.	76
Privilege against self-crimination.	282
Wills: see under WILLS.	

WORKMEN'S COMPENSATION ACTS.

Admiralty: see under ADMIRALTY.	
Conflict of laws: see under CONFLICT OF LAWS.	
Legal cause: law of: under compensation acts.	569
Minor illegally employed.	375
Partner as employee.	685

PAGE